

**THE MINUTES
FOR THE NOVEMBER 15, 2011
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
MEETING AT 6:00 P.M.**

Present: Mayor Doll, Trustees, Kehoe, McMullen, Maline and Tobin, Village Clerk Donna Koch, Village Administrator Gene Guido, Village Attorney James Matthews.

ANNOUNCEMENTS: Mayor Doll acknowledged Calin Sporing for his recent Eagle Scout project where he installed medallions on storm drains that stated "Only rain in the drain."

PRESENTATIONS: Ken Savin, Chairman of the Cow Harbor Day Committee presented the Board with a check for \$6,000 for the Village expenses during Cow Harbor Day.

PUBLIC HEARINGS: No Public Hearings this evening

PUBLIC PARTICIPATION: No one from the Public spoke this evening.

BOARD APPROVAL OF WARRANT:

On the motion of Trustee Tobin and seconded by Trustee Maline the following bills were approved for payment.

Fiscal Year 2011/2012 General Fund bills in the amount of \$ 83,761.63

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved for payment.

Fiscal Year 2011/2012 Sewer Fund (G) bills in the amount of \$1942.92

The following bills were put on hold until the next meeting.

Fiscal Year 2011/2012 Capital Fund bills in the amount of \$ 2366.30

On the motion of Trustee Maline and seconded by Trustee McMullen the following bills were approved for payment.

Fiscal Year 2011/2012 Fire Department bills in the amount of \$ 22,349.65

COMMISSIONER REPORTS: Trustee Maline reported that union negotiations are on-going.

Trustee McMullen reported that the shed roof is complete, Also the parks department has cleaned up Constitution Square. An anonymous donor has donated two magnolia trees to the Village to be planted down at Steers Park.

Trustee Tobin reported that two budget deadlines have passed. We are waiting for some interpretations from the State regarding the 2% cap.

Mayor Doll reported the highway has been busy winterizing sprinklers and the boats. We have a tree for the end of Main St. The tree lighting is Friday the 25th and the Leg Lighting at the Hardware store is scheduled for the 26th. The Mayor explained that he had read an article in Newsday regarding the states pensions costs, they have every town and Village listed. The Village of Northport's employee costs went up from \$99,400 this year and are going to \$135,000 next year. The Police and Firemen \$179,000 this year and is going to \$250,000 next year. Along with the health insurance costs we're looking at a 2.7 in our expenditures. The projections out to 2013 get even worse.

CHIEF OF POLICE REPORT: Chief Bruckenthal was not present at tonight's meeting.

ADMINISTRATOR'S REPORT: Mr. Guido reported that the shore line sewer plans are 50% done, a copy of the plans are available for anyone to look at. The DO controller plans had one change before going out to bid.

NEW BUSINESS: Trustee Maline stated he would like the Village to look into and think about implementing a new code that prohibits construction (anything that requires a permit) on weekends. Mr. Matthews stated the Village does have a fairly comprehensive construction and noise ordinance.

OLD BUSINESS: no old business this evening.

CORRESPONDENCE: no correspondence.

REQUESTS: Request from the Northport Chamber to cover the meters from November 25, 2011 thru January 1, 2012. The Board approved this request.

RESOLUTIONS:

On the motion of Trustee Maline and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2011-152 ~ APPROVAL OF THE NOVEMBER 1, 2011 MINUTES

WHEREAS: Copies of the minutes of the November 1, 2011, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

On the motion of Trustee Tobin and seconded by Trustee Maline the following resolution was unanimously approved.

RESOLUTION 2011 - 153 ~ APPOINTMENT OF ALTERNATE SCHOOL CROSSING GUARD

BE IT RESOLVED: That Raymond Maloney of West Scudder Place Northport, N. Y. is hereby appointed as an "School Crossing Guard" at a salary defined in the Collective Bargaining Agreement between the Village of Northport and Local 342.

On the motion of Trustee McMullen and seconded by Trustee Maline the following resolution was unanimously approved.

RESOLUTION 2011- 154 ~ GRANTING THE APPEALS FOR ADJUSTMENTS OF SEWER RENTS FOR FISCAL YEAR 2010-2011 TO THE EXTENT SET FORTH IN SCHEDULE "A" ATTACHED.

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved.

RESOLUTION 2011-155: AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ENERNOC, INC. RE: QUALIFYING FOR NYISO'S SPECIAL CASE RESOURCES/INSTALLED CAPACITY PROGRAM

BE IT RESOLVED: That the Board of Trustees, having determined that it is in the best interest of the Village to enter into a no cost agreement to qualify for payments under the New York Independent System Operator's Special Case Resources/Installed Capacity Program based upon the generating capacity of Village facilities, hereby authorizes the Mayor to execute a sales and service agreement in a form approved by the Village Attorney

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

RESOLUTION 2011 -156 ~PROPOSED LOCAL LAW "F" OF 2011

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6th day of December, 2011, to consider the following proposed local law:

**PROPOSED LOCAL LAW "F" OF 2011
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER 15 "HISTORIC REVIEW IN ALL ZONING DISTRICTS
EXCEPT CENTRAL BUSINESS A AND CENTRAL BUSINESS B ZONING
DISTRICTS" OF THE CODE OF THE VILLAGE OF NORTHPORT**

BE IT ENACTED: By the Board of Trustees of the Village of Northport as follows:

Section 1. Legislative Intent

The Board of Trustees finds that preservation of the Village's heritage and character by making permanent a policy which will protect, enhance and perpetuate historic sites, structures and buildings will enhance the cultural, educational, economic and general welfare of the public, and ensure the harmonious, orderly and efficient growth and development of the Village consistent with its unique heritage and character.

Section 2. Statutory Authority and Supersession

This Local Law is adopted pursuant to New York State Village Law, Municipal Home Rule Law, General Municipal Law, Article 5, § 96-a, General Municipal Law §119-dd and the State Environmental Quality Review Act and its implementing regulations and expressly supersedes inconsistent provisions of the Village Code.

Section 3. Applicability

The provisions of this Local Law shall apply to all lands situated within the boundaries of the Incorporated Village of Northport with respect to the amendment to Chapter 16 and to all lands situated within the boundaries of the Incorporated Village of Northport except those lands located within the boundaries of the Central Business A and B zoning districts with respect to the amendment to Chapter 15, as such district boundaries may be amended from time to time by the Board of Trustees of the Incorporated Village of Northport.

Section 4. Amendments

The code of the Incorporated Village of Northport shall be amended as follows:

CHAPTER 15: HISTORIC REVIEW IN ALL ZONING DISTRICTS EXCEPT CENTRAL BUSINESS A AND CENTRAL BUSINESS B ZONING DISTRICTS

~~§15-17~~ Sunset Provision

~~The provisions of this chapter shall lapse and cease to be of any force and effect on March 1, 2012 unless the Board of Trustees acts to extend or make permanent these amendments prior to that date.~~

* * *

CHAPTER 16: HISTORIC DISTRICTS

~~§16-6~~ ~~Sunset Provision~~

~~The provisions of this chapter shall lapse and cease to be of any force and effect on March 1, 2012 unless the Board of Trustees acts to extend or make permanent these amendments prior to that date.~~

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 6. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

On the motion of Trustee Maline and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2011 - 157 - SETTLEMENT OF LAWSUITS

WHEREAS, the property owners of properties identified in the attached Schedule "A" have previously commenced legal challenges claiming that the subject properties have been and continue to be assessed at a value which exceeds the appraised value of the subject properties in use for various tax years; and

WHEREAS, the Village Assessor and the Village Attorney have engaged in extensive review of these legal challenges and the basis therefor, and have engaged in extensive research and investigation of the value of these properties for assessment purposes and have had negotiations with the attorneys for the various property owners and based on these negotiations have achieved a settlement of these claims which represent a substantial compromise of the claims and which they recommend is in the best interest of the Village to accept; and

WHEREAS, the proposed settlement are without interest and the refunds resulting from these settlements are due and payable within the current tax year.

NOW, THEREFORE, BE IT RESOLVED that the Village Attorney is hereby authorized to execute stipulations of settlement with respect to the Assessment challenges to the properties identified in Schedule "A" attached hereto in accordance with the assessment amount approved and recommended by the Village Assessor and

Village Attorney.

SCHEDULE "A"

<u>Tax Map No</u>	<u>Address</u>	<u>Current Assessment</u>	<u>New Assessment</u>
404 – 6 – 2 - 58	168 Bayview Avenue	\$9,600	\$6,800
404 – 9 – 1 - 52	45 Main Street	\$10,000	\$6,800
404 – 10 – 1 - 35	231 – 239 Main Street	\$15,000	\$12,240
404 – 10 – 2 – 6	260 Main Street	\$19,000	\$14,960
404 – 13 – 4 – 127.1	143 Laurel Avenue	\$13,600	\$10,880
404 – 16 – 2 – 43	840 Ft. Salonga Road	\$19,000	\$16,300
404 – 16 – 2 – 53 & 54	399 – 413 Ft. Salonga Road	\$44,725	\$34,750

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

RESOLUTION 2011 – 158– DECLARATION OF SURPLUS PROPERTY

WHEREAS: The Northport Board of Fire Commissioners has determined that the following property which is the property of the Incorporated Village of Northport be deemed surplus:

2000 GMC 350 Type III Ambulance

BE IT RESOLVED: the Village Clerk is hereby authorized to conduct a sealed bid auction on this property.

On the motion of Trustee Tobin and seconded by Trustee Maline the following resolution was unanimously approved.

RESOLUTION 2011 – 159

BE IT RESOLVED: Authorizing the payment not to exceed \$225,000 to Gannett Fleming for the Phase II Waste Water Treatment Plant upgrades as outlined in a letter dated July 14th, 2011 from Nathan Wheeler of Gannett Fleming.

The next regular meeting of the Board of Trustees will be on December 6, 2011 at 6:00 P.M

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch
Village Clerk

SEWER RENTS
SCHEDULE A

NAME	S/B/L	ORIGINAL	REDUCED TO
Agnes	14-1-2	388.30	97.13
Ainbinder	4-1-9	743.05	315.79
DeAngelo	6-3-53	276.52	84.82
DeMaio	9-2-85	447.87	213.07
Dentale	4-1-14	1323.24	564.18
Duchi	12-1-24.4	334.20	258.36
Dugan	10-4-21	307.06	192.43
Garrecht	4-1-11	1360.56	714.78
Gorevic	6-1-17	249.38	153.47
Hamilton	10-2-12	514.03	269.17
Hanna	7-2-7	498.76	479.85
Howard	7-1-43	597.16	282.74
Huber	6-1-19.1	235.81	129.77
Kuehn	12-2-33	564.92	285.01
McKerr	10-4-18	346.08	216.13
Murer	10-2-11	279.92	135.72
<i>O'Shea</i>	<i>6-1-7</i>	758.32	361.99
O'Toole	15-1-38	322.23	0
Ohl	13-4-120	373.22	227.36
Plosky	15-1-28.1	286.70	108.78
Scancarelli	12-2-25.2	931.36	599.98
Scheinzbach	10-2-56	566.62	180.08
Schmitt	15-2-50	332.51	364.64
Sparacino	13-4-119	525.90	366.21
Swift	9-1-5	346.08	230.95
Willard	15-2-12	1624.15	870.85
Willen	9-1-2	653.14	443.34